

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06CR256**

UNITED STATES OF AMERICA,

Vs.

LISA WATERS AYERS,

Defendant.

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ORDER

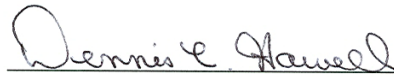
THIS MATTER coming on to be heard before the undersigned, pursuant to a “Motion for Detention Hearing to Modify Conditions of Release” (#98), filed by the defendant. In the motion, the defendant requests “a detention hearing to modify the conditions of her release.” The undersigned has examined the file in this matter and from that examination it appears that the defendant was released on terms and conditions of pretrial release on November 13, 2006. In the order, the undersigned placed the defendant in the custody of Rosilee Waters and James Clyde Waters and further set other specific conditions regarding the release of the defendant, including electronic monitoring. In the motion of the defendant she does not state the terms of release that the defendant requests to be modified or any of the reasons upon which the defendant bases her request to modify conditions of release. Without having this information, the United States Probation Office could not be able to make a recommendation to the undersigned regarding whether or not to allow the motion of the defendant. As a result, the undersigned has determined to enter an

order dismissing the defendant's motion without prejudice and to allow the defendant to file another motion setting forth, with particularity, the terms and conditions of pretrial release that the defendant requests to have modified and also the reasons that the defendant has for such a request for modification.

ORDER

IT IS, THEREFORE, **ORDERED** that the motion of the defendant entitled, "Motion for Detention Hearing to Modify Conditions of Release" (#98) is hereby **DISMISSED** without prejudice.

Signed: June 14, 2007

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Dennis L. Howell
United States Magistrate Judge

